

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION - DETROIT**

IN RE:

Adrianna Marie Miller-Seabrooks,

DEBTOR.

CHAPTER 13

CASE NO. 18-56667-PJS

JUDGE PHILLIP J. SHEFFERLY

**TRUSTEE'S AMENDED OBJECTIONS
TO CONFIRMATION OF CHAPTER 13 PLAN**

NOW COMES the Chapter 13 Standing Trustee, David Wm. Ruskin, and objects to confirmation of the Chapter 13 Plan in the above matter pursuant to Local Bankruptcy Rule 3015-3 as follows:

1. The Michigan Department of Treasury has filed a Proof of Claim indicating that Debtor has not filed City of Detroit Tax Returns for 2015 and 2016. According, the Plan does not comply with 11 USC Section 1308 and 11 USC Section 1325.

2. The Plan states that Provision III.B.1 has been altered. Section III.B.1 appears to include the unaltered Local Form Plan language. As such, the Plan does not comply with 11 USC Section 1325, Federal Rule of Bankruptcy Procedure 3012, or Federal Rule of Bankruptcy Procedure 3015.

3. Debtor Amended Schedule A/B discloses that Debtor owns electronics worth approximately \$500.00. These assets are not included in the Liquidation Analysis of Debtor's Chapter 13 Plan. Accordingly, the Plan may not comply with 11 USC Section 1325.

4. Based upon Debtors' testimony at the First Meeting of Creditors, Debtors are pursuing the return of funds garnished within the 90 days prior to filing and Counsel intends to take a 50% fee of any funds recovered. The Plan does not commit any of the garnished funds as additional funding of the Plan. Further, the Plan fails to provide for Debtor's Counsel to disclose the fees obtained in relation to any garnishment or to seek approval from this Court of those fees. As such, Debtors' Chapter 13 Plan does not comply with 11 USC Section 1325 and 11 USC Section 330.

WHEREFORE, the Chapter 13 Standing Trustee requests this Honorable Court deny confirmation of Debtor's Chapter 13 Plan unless modified to meet these objections.

OFFICE OF DAVID WM. RUSKIN,
STANDING CHAPTER 13 TRUSTEE

Dated: May 23, 2019

By: /s/ Thomas D. DeCarlo
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**CERTIFICATE OF SERVICE OF TRUSTEE'S AMENDED OBJECTIONS TO
CONFIRMATION OF CHAPTER 13 PLAN**

I hereby certify that on May 23, 2019, I electronically filed the Trustee's Amended Objections to Confirmation of Chapter 13 Plan with the Clerk of the Court using the ECF system which will send notification of such filing to the following:

The following parties were served electronically:

FREGO & ASSOCIATES - THE BANKRUPTCY LAW OFFICE PLC
23843 JOY ROAD
DEARBORN HEIGHTS, MI 48127-0000

The following parties were served via First Class Mail at the addresses below by depositing same in a United States Postal Box with the lawful amount of postage affixed thereto:

Adrianna Marie Miller-Seabrooks
760 St. Clair Street
Detroit, MI 48214-0000

/s/ Vanessa Wild
Vanessa Wild
For the Office of David Wm. Ruskin
Chapter 13 Standing Trustee - Detroit
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